

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**N O T I C E**

**Hearings scheduled for February 9, 2021 will be held telephonically.** All parties and counsel, **including individuals not represented by counsel ("Pro Se Parties")** may appear telephonically. Represented parties wishing to participate in the hearing should call in with their counsel on a single telephone line. The dial-in information is provided below.

**Teleconference Number: 1-888-684-8852**

**Access Code: 7389051#**

**Security Code: 9976#**

**Please connect by 9:15 a.m.** When court is opened the phone line will be locked.

**UNTIL YOUR CASE IS CALLED,** please activate the mute button and do not place the call on hold as it causes a disruption on the phone line and in the courtroom.

If you have any questions, please contact chambers at 704-350-7570 or email [whitley\\_hearings@ncwb.uscourts.gov](mailto:whitley_hearings@ncwb.uscourts.gov).

***PLEASE SCROLL DOWN TO VIEW THE COURT CALENDAR***

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, FEBRUARY 9, 2021

9:30 a.m. (Telephonic Hearings)

1) 11 Debra H. Beam 16-40485 9th continued hearing on Motion of the United States (IRS) to Dismiss (124)

5th continued hearing on Motion of Buford A. Tyler, Jr. for Conversion or Dismissal Under 11 U.S.C. 1112 (210)

JOHNSON  
SULLIVAN  
SHELTON

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2) Adv Schletter Inc. 20-3061 Hearing on Motion of Carol Black, Plan  
v. Ch. 11 Administrator of Liquidating Debtor, to  
Russell Schmit, et al. 18-40169 Substitute Party [Plaintiff] (13)

CRABTREE  
MUEHLHAUSEN/SIMS  
PRO SE - Russell Schmit  
PRO SE - Oliver Rensow

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3) 11 C.B. Honeycutt Grading, 20-30658 Continued hearing on Debtor's  
Inc. d/b/a HGI Objection to Claim of VFS Leasing,  
Co.; (246); Response of VFS Leasing  
Co. (278)

Continued hearing on Debtor's  
Objection to Claim of United Rentals  
(North America), Inc. (248); Response  
of United Rentals (North America), Inc.  
(285)

DIMATTEO / WOODMAN  
BROWN, TR.  
LIVERMON  
JORDAN

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- 4) Adv Avivar Hospitality, LLC 20-3066 3rd continued hearing on Debtor's Motion  
v. Ch. 11 for Summary Judgment (2); Response of  
Access Point Financial, 20-30789 Access Point in Opposition to Plaintiff's  
LLC Motion for Summary Judgment (8)

WRIGHT  
ESSER / FAJGENBAUM

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- 5) 11 Avivar Hospitality, LLC 20-30789 4th continued hearing for Final  
Hearing on the Motion of Access Point  
Financial, Inc. for Adequate Protection  
or, in the Alternative, Relief From Stay,  
Including the Application of 11 USC  
362 (e) (49/66/89); Debtor's Response  
(61); Response of American Lending  
Center (62); Reply of Access Point  
Financial, Inc. in Support of Motion  
(106)
- 4th continued hearing on Motion of  
Live Oak Banking Company to  
Determine Secured Status in Deposit  
Accounts (60); Debtor's Response (85);  
Live Oak Banking Company's  
Amendment to Motion (92)
- 3rd continued hearing on Debtor's  
Motion to Extend Automatic Stay or  
for Injunctive Relief (88); Objection of  
Access Point Financial (109)
- 3rd continued hearing on Motion of  
American Lending Center for  
Adequate Protection or, in the  
Alternative, Relief From Stay (104)  
Debtor's Objection (121); Limited  
Objection of Live Oak Banking  
Company (122); Substitution of Access  
Point Financial, LLC as Party in  
Interest to American Lending Center's  
Motion (137); Debtor's Memorandum  
in Opposition to the Motion (141)
- 2nd continued hearing on Disclosure  
Statement (100/98)

**Continued hearing on Debtor's Motion  
to Extend Exclusivity (139)**

**BROWN/WRIGHT  
PETTIT  
ESSER  
T. GARDNER**

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